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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/761,053 | 01/20/2004 | Noel S. Omega | 1776-0032 | 1171 |

7590 08/09/2006

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| EXAMINER |
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KINDRED, ALFORD W

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| ART UNIT | PAPER NUMBER |
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2163

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,053

Applicant(s)

OMEGA ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>1/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: Application, filed on 1/20/04.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Baader et al., US# 20060129538.

As per claims 1 and 2, Baader et al. teaches "a) generating a collection of electronic documents; b) forming from said collection, at least one cluster of documents based upon a user's selection of a subject; c) determining for each author of documents in said cluster, the number of times each said author is an author of a document corresponding to said subject" (see paragraph [0027] and [0073]) "ranking each said author according to the results of Step c); and e) presenting the results of Step d) in the form of an index" (see paragraph [0043] and [0087]).

As per claim 2, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

--Baader et al. teaches "interpreting said index to correspond to a subject matter expertise of said authors" (see paragraph [0073]).

As per claim 3, Baader et al. teaches "searching documents hyperlinked to the cluster of documents; and modifying the ranking of Step d) according to the number of times an author is cited in a hyperlinked document pertaining to said subject" (see paragraph [0043] and [0057]).

As per claim 4, Baader et al. teaches "searching documents hyperlinked to the cluster of documents; and modifying the ranking of Step d) according to the number of times an author is the author of a hyperlinked document pertaining to said subject" (see paragraph [0014], [0043] and [0076], whereas Baader's teachings of URLs and as well as hypertext documents in relations with author rankings, reads on applicant's claim language.

As per claims 5-6 and 9, Baader et al. teaches "wherein said collection of electronic documents is taken from a specified World Wide Web domain" (see paragraph [0014]).

As per claims 7-8, Baader et al. teaches "wherein said collection of electronic documents is taken from documents managed by a particular server" (see paragraph [0014] and [0013]).

As per claim 10, Baader et al. teaches "in response to user input, establishing a frequency of citation threshold; and excluding an author from the index when the author is cited fewer than said frequency of citation threshold" (see paragraph [0046] and [0073]).

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As per claims 11-13, Baader et al. teaches "excluding from said number, redundant documents that are stored in different formats" (see paragraph [0046]).

As per claim 14, Baader et al., teaches "forming a second index comprising for each author, the number of times a document corresponding to said subject and having the same author, is cited in another document by the same author" (see paragraph [0026]-[0027] and [0073]).

As per claims 15-24, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-14 and are similarly rejected including the following:

--Baader et al. teaches « an author ranker adapted to rank each said author . . . ranker in the form of an index" (see paragraph [0027] and 0046)).

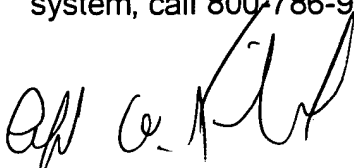
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US# 20040111467 and US# 20040088303.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred
Patent Examiner
Tech Ctr. 2100